

Daphne.Duke

247955

From: Randall.Dong
Sent: Monday, December 09, 2013 3:35 PM
To: Joseph.Melchers; Jocelyn.Boyd; David.Butler; David.Stark; Josh.Minges; PSC_Technical Advisory
Cc: Daphne.Duke
Subject: FW: Docket No. 2013-392-E -- Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity

FYI.

From: Randall.Dong
Sent: Monday, December 09, 2013 3:32 PM
To: Taylor, Alvin; Terreni, Charles L.A. (charles.terreni@terrenilaw.com); 'doug@jenningslawoffice.com'; Parrish, Duane; 'bholman@selcsc.org'; 'dickmajs@dhec.sc.gov'; 'jtiencken@tienckenlaw.com'; 'len.anthony1@gmail.com'; Edwards, Nanette; 'pconway@tienckenlaw.com'; 'rlwhitt@austinrogerspa.com'; Hudson, Shannon; Shafeek-Horton, Timika (Timika.Shafeek-Horton@duke-energy.com)
Subject: Docket No. 2013-392-E -- Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity

Dear Parties and Counsel:

As you all know, the Application in Docket No. 2013-392-E was filed with the Commission on or around October 24, 2013. The public hearing on the matter has been scheduled to take place on Tuesday, January 7, 2014 at 10:00 AM. Notice of the hearing has been published in several newspapers. On or about December 3, 2013, three petitions to intervene were filed with the Commission. On December 5, 2013, one of the intervenors also filed a request for the appointment of a hearing officer. I expect that I will be appointed hearing officer in the case.

Unfortunately, I have a medically-related conflict with the currently scheduled date and time for the hearing in this matter. Compounding the difficulty of the situation is the time constraint imposed by statute for commencing the hearing. S.C. Code Section 58-33-130(1) provides, in part: "Upon the receipt of an application complying with § 58-33-120, the Commission shall promptly fix a date for the commencement of a public hearing, not less than sixty nor more than ninety days after the receipt, and shall conclude the proceedings as expeditiously as practicable." The scheduled hearing date is 75 days after the filing of the initial application. Therefore, we cannot postpone the hearing for very long, if at all. Thursday, January 9, 2014 is available on the Commission calendar. There may be other dates available, but in any event, the 90th day following the initial filing is Wednesday, January 22, 2014. Please advise whether January 9 is workable for you all, or whether you have any other proposals by way of which the Commission can carry out the terms of the statute.

B. Randall Dong, Staff Counsel
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